

REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

The specification has been amended to add certain headings.

Claims 1-10 were rejected under 35 U.S.C. Section 101 as allegedly being directed to non-statutory subject matter.

Applicant respectfully submits that claims 1-5 fall within the statutory category of patentable subject matter under 35 U.S.C. Section 101 of a machine. Specifically, these claims define a "system" comprising the elements of a "link analyser" and "means for causing", which are both defined as performing particular functions. As set forth in Annex II of the "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility," the Supreme Court has defined a machine as "a concrete thing, consisting of parts or of certain devices and combinations of devices." *Burr v. Duryee*, 68 U.S. (1 Wall) 531, 570 (1863). Applicant submits that claims 1-5 define such a machine and, to emphasize this, claim 1 has been amended to recite a content scanning computer system.

The office action contends that the claims are an example of "functional descriptive material." Applicant disagrees. The features of "a link analyser" and "means for causing" are both operative to perform particular functions. Thus, claims 1-5 properly define elements of a machine, not descriptive material.

With respect to claims 6-10, these claims are directed to the statutory category of a process and set forth a series of steps. Applicant respectfully submits that the comments in the office action regarding the alleged “perfunctory recitation of functional material” are inapplicable to these claims.

For these reasons, Applicant respectfully requests that the Section 101 rejection of claims 1-10 be withdrawn.

Claims 1-10 were rejected under 35 U.S.C. Section 103(a) as allegedly being made “obvious” by Hirsch (WO 00/65483). While not acquiescing in this rejection or in the characterization of Hirsch set forth in the office action, independent claims 1 and 6 have been amended. Conforming amendments and other amendments of a formal nature have been made as appropriate to the dependent claims. The discussion below makes reference to the amended claims.

Hirsch does not relate at all to the scanning of electronic documents to determine whether or not that content is acceptable. Hirsch has an entirely different purpose from the claimed systems and methods. Hirsch is concerned with the preparation of “notes” which are merely an extracted part of the document intended to provide an abstract or summary of the full content. This is to solve a technical problem of facilitating display of web content on devices with limited display capabilities, such as a PDA or mobile phone. Hirsch proposes to prepare and display so-called “notes”, which are described on page 6, lines 12-14 as:

an item of data extracted from a source. Notes may consist of a single word or name, a sentence, a group of sentences and/or other items from a source such as a URL image or audio or video clip.

Therefore, notes are merely an extracted part of the document intended to provide an abstract or summary of the full content, for example as disclosed on page 7, lines 34-35.

Section 3 of Hirsch discloses the process by which a document is analyzed to prepare the note. This process involves parsing the document and identifying important parts of the document to be included in a note.

Section 3.2 of Hirsch discloses that a part of the parsing is to identify hyperlinks. Even assuming this parsing is viewed as corresponding to the identifying of hyperlinks as set forth in clause a) of claim 6, Applicant respectfully submits that Hirsch discloses or suggests no portion of clause b) of claim 6.

Applicant respectfully submits that Hirsch does not disclose or suggest the feature of *“using a content scanner to scan objects referenced by hyperlinks identified by the link analyser and to determine whether or not the content of the documents is acceptable according to predefined rule.”* The office action contends that this feature is disclosed in Section 3.2 of Hirsch. Applicant disagrees. As previously mentioned, section 3.2 of Hirsch mentions that links may be identified as part of the parsing. However, this does not constitute a disclosure or suggestion of the above-italicized “using” feature of claim 6 because there is no mention of scanning the object referenced by hyperlink and no mention of determining whether the content of that object is acceptable.

Section 3.2 of Hirsch discloses on page 17, lines 3-6 identifying links which are stories on a news site and links which are non-news items by analyzing the average length of the link and other structural and semantic characteristics. However, this does not constitute scanning of the object referenced by the hyperlink. This is made clear by Section 3.3.9 of Hirsch on page 20, lines 8-15 which contains further disclosure of how the links are analyzed, in particular, “for common length, font size and location.” Thus, it is clear that the hyperlink and the original document are analyzed, but there is no disclosure of analyzing the object referenced by the hyperlink.

Regarding the feature of *retrieving and modifying* the document, this is required to be performed “when the hyperlink is to an object external to the document and is determined by the content analyser to be acceptable.” As Hirsch does not perform the determination by the content analyzer, this further feature is also not disclosed or suggested.

Features b1 and b2 are also not disclosed or suggested by Hirsch.

The office action contends that feature b1 is disclosed in Section 3.2 of Hirsch and that Section 3.2 involves retrieving a copy of the object. Applicant disagrees. Hirsch is concerned with preparation of a “note” which summarizes the object. This “note” may include the hyperlink which is present in the original document. However, there is no disclosure in Section 3.2, nor in Section 3 as a whole, that a copy of the object is embedded in, or attached to, the document.

The office action contends that feature b2 is disclosed in Section 4 of Hirsch. Applicant disagrees. Section 4 of Hirsch discloses that content sources may be assigned to a classification and that the rules for parsing a document to generate a “note” may then be dependent on the classification. In other words, the manner in which the “note” is prepared from the document is dependent on the classification of the document. This has nothing to do with changing a hyperlink as recited in feature b2.

Claim 1 includes features corresponding to those discussed above with respect to claim 6 and therefore is likewise not made obvious by Hirsch.

Claims 2-5 depend from claim 1 and claims 7-10 depend from claim 6. These claims distinguish from Hirsch because of these respective dependencies and because of the additional patentably distinguishing features recited therein.

New claims 13-18 have been added. The subject matter of these claims finds support in the original disclosure and the Examiner is invited to independently confirm that this is the case.


Claim 13 is directed to a computer readable medium having stored thereon instructions for causing a computer to carry out a method for content-scanning electronic documents such as emails. The method comprises using a link analyser to identify hyperlinks in the content of a document; and using a content scanner to scan objects referenced by hyperlinks identified by the link analyser and determining whether or not the content of the document is acceptable according to defined rules, and, when an identified hyperlink is to an object external to the document and is determined by the

content analyser to be acceptable, retrieving the external object and modifying the document by (i) embedding in the document or attaching to the document the retrieved copy of the external object; and (ii) replacing the identified hyperlink to the external object by a hyperlink to the copy of the external object embedded in, or attached to, the document. Applicant respectfully submits that Hirsch does not disclose such a computer-readable medium as claimed. Claims 14-18 depend from or refer to claim 13.

The pending claims are believed to patentably distinguish from the applied reference and favorable office action is respectfully requested.

Respectfully submitted,

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